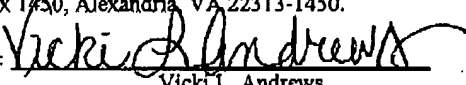


RECEIVED
CENTRAL FAX CENTER**SEP 01 2006****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Patent Application of:	Group Art Unit: 1642
Applicants: Subhra Chakrabarti, et al.	Confirmation No.: 8318
Serial No.: 10/662,044	Examiner: Catherine Joyce
Filed: September 11, 2003	<u>Certificate of Electronic Filing</u>
Title: ANTIBODIES THAT RECOGNIZE HYPERPROLIFERATIVE CELLS AND METHODS OF MAKING AND USING SAME	I hereby certify that the attached Response and all marked attachments are being deposited by Electronic Filing on September 1, 2006 by using the EFS - Web patent filing system and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Docket No.: 31302-702.201	By:  Vicki L. Andrews

DECLARATION REGARDING IDENTITY OF BIOLOGICAL CULTURE DEPOSIT

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Dear Sir/Madam:

I, Mark Glassy, do hereby declare as follows:

1. I am the inventor of the above-cited patent application.
2. I have deposited with the American Type Culture Collection (ATCC) the following cell lines as referenced in the specification of the above-referenced application:
ATCC Deposit No. PTA-5411; and
ATCC Deposit No. PTA-5412.
3. The date of the above deposit was August 22, 2003, and a copy of the ATCC Deposit receipt showing that the cells were viable as of September 4, 2003 is attached.

Application No. 10/662,044
Attorney Docket: 31302-702.201

4. The name and address of the depository is:

American Type Culture Collection
10801 University Blvd.
Manassas, VA 20110-2209
Telephone: (703) 365-2700
Fax: (703) 365-2701

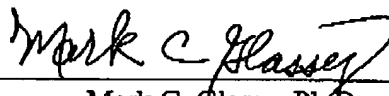
The ATCC is a recognized IDA under 37 C.F.R. 1.803.

5. I affirm that cell lines deposited as of August 22, 2003 referred to as ATCC Deposit No. PTA-5411 and ATCC Deposit No. PTA-5412 are the biological material identified in the specification as the source of the RM2 and RM4 antibodies.

6. I hereby declare that all statements made herein are of my own knowledge and are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: September 1, 2006


Mark C. Glassy, Ph.D.

ATCC**BEST AVAILABLE COPY**

**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE**

INTERNATIONAL FORM

**RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.**

To: (Name and Address of Depositor or Attorney)

SHANTHA WEST, Inc.
Attn: Mark C. Glaser
1121 Sorrento Valley Road
Suite C
San Diego, CA 92121

Deposited on behalf of: SHANTHA WEST, Inc.

Identification Reference by Depositor:

Human Hyaluronate: HMT
Human Hyaluronate: HMA

Patent Deposit Designation

PTA-5411
PTA-5412

The deposits were accompanied by: scientific description and proposed taxonomic description indicated above. The deposits were received August 22, 2003 by the International Depository Authority and have been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the strains for 30 years.

The strains will be made available to patent offices pursuant to the Budapest Treaty, certifies such right to receive, or that U.S. Patent Offices cannot claim the strains, and ATCC is instructed by the United States Patent & Trademark Office that the depository is to make such strains.

If the cultures should die or be removed during the five-year term of the deposit, it shall be your responsibility to replace them with fresh cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or 5 years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures listed above was first tested September 4, 2003. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20114-2209 USA.

Signature of person having authority to represent ATCC:

Mark C. Glaser
Mark C. Glaser, Patent Specialist, ATCC Patent Depository

Date: September 29, 2003

cc: John Wetherill

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ATCC

Patent Department
 10501 University Boulevard
 Manassas, VA 20108-2209
 Tel: (703) 368-2721
 Fax: (703) 368-2745

Title:	ATCC 10280
Company:	ATCC 10280
Product:	ATCC 10280
Address:	10501 University Boulevard
City:	Manassas, VA 20108-2209
State:	VA
Country:	USA
Phone:	(703) 368-2721
Fax:	(703) 368-2745

COMMENTS:

Attached is the lab copy of the results of PCR test on your material, submitted for patent deposit purposes on August 22, 2003 for your information only.

Thank you

Maria Harris

Maria Harris

ATCC is a registered trademark of American Type Culture Collection, Inc. All other trademarks are the property of their respective owners. ATCC is not responsible for the content of any external links or the accuracy of any information provided by third parties. ATCC is not responsible for the content of any external links or the accuracy of any information provided by third parties.

ATCC

Mycoplasma Detection

PCR REPORT for

Customer Name: Fresh Hay

Order Number: in-house

	Customer Designation	ATCC Code	Amplified Product Detected ¹
A	NONE	Positive Control	yes
B	NONE	Negative Control	no
1	PTA-541	C	yes
2	PTA-542	C	yes
3			
4			

¹ This test is performed according to testing arrangements with Roche Molecular Systems, Inc. and Applied Biosystems. A positive result indicates detection of amplified DNA in the 200 - 400bp size range. A negative result indicates that no amplified DNA detected in the 200 - 400bp size range. Some samples are required to undergo further steps to confirm initial results. Final results will be reported the following week.

DNA extracted from the positive control samples has been subjected to amplification by PCR using primers provided in the ATCC Mycoplasma Detection Kit. These primers amplify mycoplasma DNA fragments of approximately 200bp when the primers are allowed to amplify DNA from cultures containing *Mycoplasma agalactiae*, *M. fermentans*, *M. lewisii*, *M. mycoides*, *M. pneumoniae*, *M. thermophilum*, *M. hyarum*, and *M. neurolyticum*. However, in many other species of Mycoplasma, while the primers exhibit excellent specificity, much lower DNA amplification in the 200-400bp size range than with *Mycoplasma agalactiae* is observed. In addition, some Mycoplasma species have been observed. The primers may also amplify mycoplasma specific DNA fragments from mycoplasmas that have been inactivated by treatment with solvents or other techniques that leaves the mycoplasma DNA intact.

COMMENTS

Callope Sandoz

Biologist

9/12/06

Signature

Title

Date

Reviewed By: Debby Polayev

TOTAL P.02

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10801, Kottarakudi Boudinotti,
Kottarakudi, Virginia 20110-7269 USA

SEBASTIANHA WEST, Inc.
Attn: Mark Q. Glassy
1151 Sonoma Valley Road
Suite C
San Diego, CA 92121

3842175385 Microbiology, Immunology, Pathology, Infectious Diseases

